

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHERMAN BURNETT, JR.,

Petitioner,

v.

DAVE DORMIRE,

Respondent.

No. 4:10CV1149 HEA

ORDER

This matter is before the Court upon the application of Sherman Burnett, Jr., for leave to commence this action without payment of the required filing fee [Doc. #2]. This motion will be denied without prejudice as moot. Petitioner has paid the required filing fee in full.

Therefore,

IT IS HEREBY ORDERED that petitioner's motion for leave to proceed in forma pauperis [Doc. #2] is denied without prejudice as moot. *See* 28 U.S.C. § 1915.

IT IS FURTHER ORDERED that the Clerk shall docket this petition as *Sherman Burnett, Jr. v. Dave Dormire*.¹

Dated this 30th day of , 2010.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE

¹Petitioner has named as respondent the State of Missouri. The proper respondent for a prisoner currently in custody pursuant to a state judgment is the state officer having custody of the applicant. *See* 28 U.S.C. § 2254, Rule 2(a). Dave Dormire, Warden of the Jefferson City Correctional Center, is the proper respondent.